

Regional Resource Center (RRC)

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U.S. Department of Education Report to Congress

IDEA • Autism • Disability Categories

Minimal Changes to Number of Students with Disabilities

BY DAVID A. KANE, ESQ.

The US Department of Education reported in its 44th Annual Report to Congress on the Implementation of IDEA that the number of students receiving special education and related services under Part B of the IDEA has decreased slightly from 2019.

[Report reflects 2020 data.](#)

The report reflects a comparison of 2019 to 2020 and shows that students with disabilities, ages 6 through 21 receiving services under Part B of the IDEA made up 9.1 percent of the student population in 2020, down from 9.5% reported in the previous year.

Most Common Disability Category

The most commonly reported disability category of school-age students ages 5 through 21 in 2020 served under IDEA Part B was specific learning disability at 3.3 percent.

Other Reported Categories of Disability

Behind specific learning disability at 3.3% was speech or (and) language impairment at 1.7%, followed by other health impairment at 1.6 percent, autism at 1.1 percent, and intellectual disability at 0.6 percent.

Slight Increases in Autism, OHI

The Report indicated that the population of students identified as having autism and OHI both increased. Autism now represents 1.2% up from .7% and OHI represents 1.1%

For a copy of the Report, click on:

[U.S. Education Department's 44th Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act, 2022](#)

[Refer to chart on next page](#)



Our **Regional Resource Center (RRC)** has 150 person seated capacity with table configurations for up to 76 people and can be divided into two rooms for breakouts or smaller workshops.


See the chart below for more information

Percentage of student population ages 5-21 served under IDEA Part B by disability category and year										
Disability	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Autism	0.6%	0.7%	0.7%	0.8%	0.8%	0.9%	0.9%	1.0%	1.1%	1.1%
Deaf-blindness	<.05%	<.05%	<.05%	<.05%	<.05%	<.05%	<.05%	<.05%	<.05%	<.05%
Emotional disturbance	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%
Hearing impairment	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%
Intellectual disability	0.6%	0.6%	0.6%	0.6%	0.6%	0.6%	0.6%	0.6%	0.6%	0.6%
Multiple disabilities	0.2%	0.2%	0.2%	0.2%	0.2%	0.2%	0.2%	0.2%	0.2%	0.2%
Orthopedic impairment	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	<.05%	<.05%
Other health impairment	1.1%	1.1%	1.2%	1.3%	1.3%	1.4%	1.5%	1.5%	1.6%	1.6%
Specific learning disability	3.4%	3.4%	3.4%	3.4%	3.4%	3.5%	3.5%	3.6%	3.6%	3.3%
Speech or language impairment	1.5%	1.5%	1.5%	1.5%	1.5%	1.5%	1.5%	1.6%	1.6%	1.7%
Traumatic brain injury	<.05%	<.05%	<.05%	<.05%	<.05%	<.05%	<.05%	<.05%	<.05%	<.05%
Visual impairment	<.05%	<.05%	<.05%	<.05%	<.05%	<.05%	<.05%	<.05%	<.05%	<.05%
All disabilities	8.2%	8.2%	8.3%	8.5%	8.7%	8.8%	9.2%	9.2%	9.5%	9.1%

Source: U.S. Department of Education, Office of Special Education and Rehabilitative Services, Office of Special Education Programs. (2024).

[More articles on next page](#)





Our **School Programs** offer fully-certified Day School placements for children 3 to 22 years with severe learning, physical, behavioral, and medical disabilities related to neurological impairment such as autism, seizure disorders, and behavioral issues.

Transfer Students with 504 Plans

Section 504 law and regulations is silent when addressing students with existing 504 plans.

Still, under Section 504, a district must ensure that all qualified students with disabilities within its jurisdiction receive FAPE. 34 CFR 104.33 (a). That FAPE obligation extends to students who move to the district with Section 504 plans in place.

In the absence of law or regulation, the U.S. Department of Education, Office for Civil Rights which serves as the federal enforcement agency for Section 504 in schools, has provided guidance for serving transfer students with Section 504 plans.(see *Protecting Students With Disabilities: Frequently Asked Questions About Section 504 and the Education of Children with Disabilities*, (OCR 07/18/23).

Summary:

According to OCR Guidance, Schools should take the following steps when addressing students who transfer into a new school district with an existing 504 plan:

1. Review the student's Section 504 plan and supporting documentation.

The 504 team, (a group that includes persons knowledgeable about the meaning of the evaluation data and the placement options) should review the 504 plan and student records. This means every transfer student should have a 504 team review conducted within a short period of time following their transfer.

2. Determine whether plan is appropriate.

The 504 team reviewing the Section 504 plan should determine whether the plan, as developed, will provide the student with the opportunity to receive FAPE. This means the group must consider whether the Section 504 plan will meet the student's unique needs as effectively as the district meets the needs of nondisabled students. 34 CFR 104.33 (b)

3. Decide to implement the plan or re-evaluate and change it.

If the 504 team concludes that the transfer student's Section 504 plan remains appropriate in the new school (system), it must implement the plan. If it determines the plan is not appropriate, it must re-evaluate the student to identify their needs and develop a 504 plan that provides FAPE. Note: OCR has ruled that the district may implement the existing Section 504 plan in the interim.

For a comprehensive list of OCR 504 Guidance Documents see next page





We trace our roots back to 1917, when 25 pioneering women opened the Providence School of Lipreading. It incorporated as the Providence League for the Hard of Hearing and later became the first rehabilitation technology program offering assistive listening devices.



[U.S. Department of Education](#)

[FAQs: Frequently Asked Questions | U.S. Department of Education](#)

www.ed.gov/answers

Section 504 What is Section 504? Title II of the Americans with Disabilities Act of 1990 (ADA) prohibits discrimination based on disability by public ...

[PDF] [Frequently Asked Questions about the Rights of Students with ...](#)

www2.ed.gov/about/offices/list/ocr/docs/dcl-faq-201612-504-charter-school.pdf

Section 504 of the Rehabilitation Act of 1973 Notice of Language Assistance Notice of Language Assistance: If you have difficulty understanding ...

[Protecting Students With Disabilities - U.S. Department of Education](#)

www2.ed.gov/about/offices/list/ocr/504faq.html

This guidance focuses primarily on Section 504. Section 504 prohibits discrimination on the basis of disability in programs or activities that receive ...

[Fact Sheet: Providing Students with Disabilities Free Appropriate ...](#)

www2.ed.gov/about/offices/list/ocr/docs/factsheet-504.html

Background: Section 504 of the Rehabilitation Act. Section 504 is a Federal law that prohibits disability discrimination and guarantees that students ...

[PDF] [Section 504 Discipline Fact Sheet \(PDF\) - U.S. Department of Education](#)

www2.ed.gov/about/offices/list/ocr/docs/504-discipline-factsheet.pdf

The guidance explains that when schools do discipline students with disabilities, they must do so in a nondiscriminatory manner. This Fact Sheet ...

[New Guidance Helps Schools Support Students with Disabilities and Avoid ...](#)

www.ed.gov/news/press-releases/new-guidance-helps-schools-support-students-disabilities-and-avoid-discriminatory-use-discipline

Section 504 prohibits recipients of federal financial assistance from discriminating based on disability, and the IDEA guarantees that children with ...

[U.S. Department of Education Announces Intent to Strengthen and Protect ...](#)

www.ed.gov/news/press-releases/us-department-education-announces-intent-strengthen-and-protect-rights-students-disabilities-amending-regulations-implementing-section-504

Forty-five years after publication of the regulations implementing Section 504 of the Rehabilitation Act of 1973, the landmark disability civil rights ...

[Section 504 | U.S. Department of Education](#)

www.ed.gov/category/keyword/section-504

Forty-five years after publication of the regulations implementing Section 504 of the Rehabilitation Act of 1973, the landmark disability civil rights ...

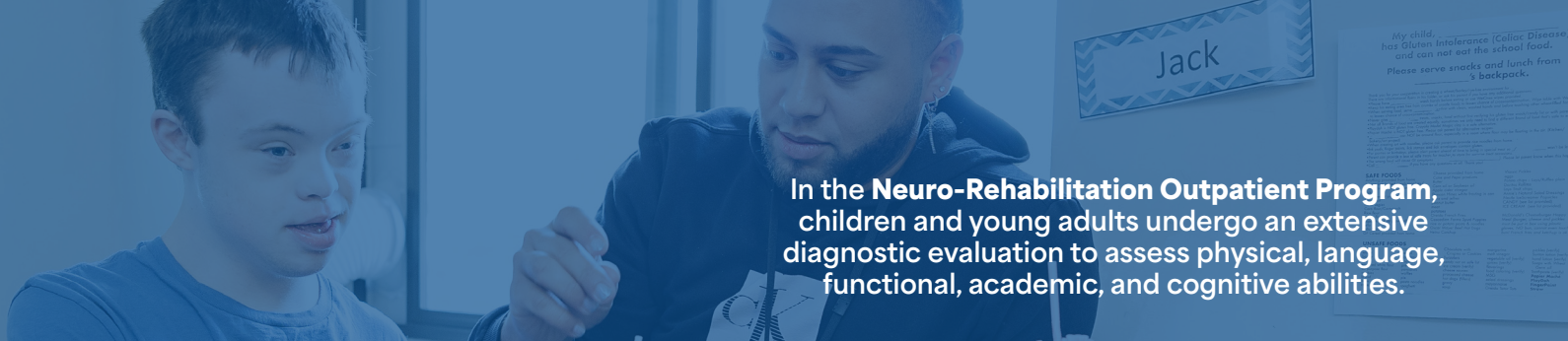
[PDF] [Parent and Educator Resource Guide to Section 504 in Public Elementary ...](#)

www2.ed.gov/about/offices/list/ocr/docs/504-resource-guide-201612.pdf

Section 504 is a Federal law that prohibits disability discrimination by recipients of Federal financial assistance.² All public schools and school

More on next page





In the Neuro-Rehabilitation Outpatient Program, children and young adults undergo an extensive diagnostic evaluation to assess physical, language, functional, academic, and cognitive abilities.

[Free Appropriate Public Education under Section 504](https://www2.ed.gov/about/offices/list/ocr/docs/edlite-FAPE504.html)
www2.ed.gov/about/offices/list/ocr/docs/edlite-FAPE504.html

The Section 504 regulation requires a school district to provide a “free appropriate public education” (FAPE) to each qualified person with a ...

[The Civil Rights of Students With Hidden Disabilities and Section 504](https://www2.ed.gov/about/offices/list/ocr/docs/hq5269.html)
www2.ed.gov/about/offices/list/ocr/docs/hq5269.html

The ED Section 504 regulation defines an “individual with handicaps” as any person who (i) has a physical or mental impairment which substantially ...

[U.S. Department of Education’s Office for Civil Rights Releases New ...](https://www.ed.gov/news/press-releases/us-department-educations-office-civil-rights-releases-new-resources-students-disabilities)
www.ed.gov/news/press-releases/us-department-educations-office-civil-rights-releases-new-resources-students-disabilities

Section 504 prohibits discrimination against students with disabilities by institutions that accept federal financial assistance, which includes ...

[PDF] [Office for Office of Special Education Civil Rights and Rehabilitative ...](https://www2.ed.gov/about/offices/list/ocr/docs/ocr-factsheet-504-20210726.pdf)
www2.ed.gov/about/offices/list/ocr/docs/ocr-factsheet-504-20210726.pdf

C. Evaluation Procedures under Section 504 Under Section 504, schools must conduct an evaluation in a timely manner of any student who needs or is ...

[PDF] [Supporting Students with Disabilities and Avoiding the Discriminatory ...](https://www2.ed.gov/about/offices/list/ocr/docs/504-discipline-guidance.pdf)
www2.ed.gov/about/offices/list/ocr/docs/504-discipline-guidance.pdf

Section I explains the scope of Section 504’s coverage and the relationship between Section 504 and Part B of the Individuals with Disabilities ...

[Questions and Answers on the ADA Amendments Act of 2008 for Students ...](https://www2.ed.gov/about/offices/list/ocr/docs/dcl-504faq-201109.html)
www2.ed.gov/about/offices/list/ocr/docs/dcl-504faq-201109.html

A: OCR enforces Section 504 of the Rehabilitation Act of 1973 (Section 504), a Federal law designed to protect the rights of individuals with ...

[Disability Discrimination - U.S. Department of Education](https://www2.ed.gov/about/offices/list/ocr/frontpage/faq/disability.html)
www2.ed.gov/about/offices/list/ocr/frontpage/faq/disability.html

Section 504 is a federal law that prohibits any entity that receives federal financial assistance (such as grants or student loans) from ...

[Disability Discrimination: Overview of the Laws - U.S. Department of ...](https://www2.ed.gov/policy/rights/guid/ocr/disabilityoverview.html)
www2.ed.gov/policy/rights/guid/ocr/disabilityoverview.html

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination based on disability in any program or activity operated by recipients of ...

[34 C.F.R. Part 104 - U.S. Department of Education](https://www2.ed.gov/policy/rights/reg/ocr/edlite-34cfr104.html)
www2.ed.gov/policy/rights/reg/ocr/edlite-34cfr104.html

The purpose of this part is to effectuate section 504 of the Rehabilitation Act of 1973, which is designed to eliminate discrimination on the basis of ...

[Policy Guidance - U.S. Department of Education](https://www2.ed.gov/about/offices/list/ocr/frontpage/faq/rr/policyguidance/index.html)
www2.ed.gov/about/offices/list/ocr/frontpage/faq/rr/policyguidance/index.html

Section 504 is a Federal law that prohibits disability discrimination and guarantees that students with disabilities have equal access to educational ...

[PDF] [Know Your Rights: Students with ADHD - U.S. Department of Education](https://www2.ed.gov/about/offices/list/ocr/docs/dcl-know-rights-201607-504.pdf)
www2.ed.gov/about/offices/list/ocr/docs/dcl-know-rights-201607-504.pdf

Section 504 are entitled to a free appropriate public education (FAPE). Under Section 504, FAPE is the provision of regular or special education and ...





About Sargent Center

For more than 100 years, the Sargent Center has been a leader in the education and rehabilitation of children and young adults challenged by disabilities by restoring cognitive and physical function resulting in exceptional outcomes. The Sargent Center concentrates its operations in the areas of:

Day School Programs for students with disabilities (pre-school, elementary, secondary and transitional living, community vocational training with high school diploma, as well as a post-secondary prep program).

Regional Resource Center (RRC) for Professional Training, Public Policy Institute, Family Education, and Advocacy.

Brain Injury Neuro-Rehabilitation Program for children, adolescents and young adults (brain injury, concussion, stroke, injury).

Take a Virtual Tour of Sargent Center (Video)

Our Mission

Rehabilitating children and young adults with disabilities for maximum community access to education, daily living, and employment.

Our Vision

Achieving the extraordinary in rehabilitating human potential.



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